REMARKS

This Amendment is in response to the Office Action of June 12, 2008 in which claims 1-25 and 27-29 were rejected.

It is recalled that the Examiner previously rejected the claims as not being novel over *Denisson* (US 6,847,822). The Examiner further rejected the claims as not being novel over *Silver* (US 7,162,237). In response to the previous novelty rejections, applicants argued that neither *Denisson* nor *Silver* disclosed the feature of providing a terminal with location dependent routing information stored in a data storage. Rather, the location dependent routing information in *Denisson* and *Silver* is retained in the data storage of the communication system and only a command to use a specific route is sent to the user equipment. That is, *Denisson* and *Silver* only disclose providing a terminal with routing information based on location dependent routing information stored in a data storage.

In order to further distinguish the claimed invention over *Denisson* and *Silver* applicants further amended the independent claims to specify that the location dependent routing information includes information regarding different routes for a connection according to location of the terminal and that the terminal selects a route based on the location of the terminal.

The Examiner has now recognized that neither *Denisson* nor *Silver* disclose providing a terminal with information regarding different routes for connection according to the location of the terminal. However, the Examiner has now cited a new prior art document, *Moon* (US 7,295,844), and is of the opinion that this document discloses the feature of providing a terminal with information regarding different routes for connection according to the location of the terminal and has combined the *Moon* document with *Denisson* to assert an obviousness rejection.

Applicants have noted that US 7,295,844 was published on 13 November 2007 and filed on 16 August 2005. The present application has a priority date of 6 November 2002 and was filed as a PCT application on 4 November 2003. As such, the *Moon* document cited by the Examiner is not itself valid prior art against the present application. However, the cited *Moon* document is a continuation of an earlier filing which was filed on 22 December 2000 and granted as US 6,961,573. It would appear without admitting same that the relevant subject matter cited by the Examiner

is also disclosed in US 6,961,573 and thus at least this earlier document appears to be valid prior art against the present application. Accordingly, applicants will without prejudice address the substantive objection based on the *Moon* document cited by the Examiner.

The Examiner has continued to suggest that both *Denisson* and *Silver* disclose the feature of providing a terminal with location dependent routing information stored in the data storage. This is incorrect. *Denisson* and *Silver* actually disclose providing a terminal with routing information based on location dependent routing information stored in the data storage.

Furthermore, the Examiner is incorrect in stating that *Moon* discloses providing a terminal with information regarding different routes for a connection according to the location of the terminal. *Moon* discloses a terminal having a router 130 disposed therein. *Moon* describes a problem with previous arrangements in which the route for connection is determined by a network entity wherein the network entity may instruct a mobile terminal to utilize a route including a device which is not compatible with the mobile terminal. As such, *Moon* suggests moving control of routing decisions into the mobile terminal. The mobile terminal determines one or more routing metrics that are associated with each of a number of communication paths including link quality, path length, reliability, latency, bandwidth, load and communication cost. The mobile terminal also receives routing information from one or more routers in the network. The mobile terminal then determines a route for a connection based on the determined routing metrics and the received routing information. There is no disclosure or suggestion in *Moon* of determining a route based on the location of the mobile terminal. While the terminal in *Moon* is provided with routing information it is not provided with location dependent routing information including information regarding different routes for connection according to location of the terminal. Rather, the terminal in *Moon* is provided with information regarding different routes and then one of these routes is selected by the terminal based on link quality, path length, reliability, latency, bandwidth, load and communication cost. Therefore, a prima facie case of obviousness has not been made.

The mobile station in *Moon* continuously or intermittently monitors the availability and quality of the various communication links available to the terminal in order to select the best route for a connection. A problem with the arrangement

described in *Moon* is that it requires a large amount of signalling to monitor the availability and quality of the various communication links. In contrast, in accordance with embodiments of the present invention no such monitoring of link quality is required when selecting a route for a connection. Rather, the terminal selects a route for a connection based on location dependent routing information provided from a data storage and the location dependent routing information includes information regarding different routes for a connection according to location of the terminal. Thus, the terminal is merely required to determine its location and then select the appropriate route based on the location dependent routing information which it has received from the data storage. The present invention thus allows control of routing selection to be moved into the mobile terminal without the signalling burden of requiring that the mobile station to monitor quality of various possible routes.

In the present invention, the signalling burden is further reduced by storing the location dependent routing information in the data storage such that it can be readily updated without continuously having to signal to the mobile terminal. Further still, the present invention does not require a large amount of information to be stored in the mobile terminal as it may be stored in the data storage. Location dependent routing information is provided to the mobile terminal such that the mobile terminal can make a selection of what route to take for communication according to its location without having to signal to the data storage first in order to obtain a suitable route for the communication. In *Denisson* and *Silver*, the control of routing is retained completely within the network such that location dependent routing information is stored in the network and selection of a suitable route is made in the network. In contrast, *Moon* discloses that complete control of routing is passed to the mobile terminal such that the mobile terminal monitors various communication links and selects one based on link quality.

In contrast, the present invention, by the claimed act of storing, inherently retains a certain amount of routing control within the data storage while, by the claimed act of providing, inherently passes a certain amount of routing control to the terminal. In particular, the location dependent routing information is retained within a data storage and this can be regularly updated so as to control routing information. In addition, selection of a specific route for connection based on this information has

been moved to the mobile terminal such that it can select a suitable route based on its location. This distribution of control for routing is advantageous over providing all control within the network or all control within the terminal.

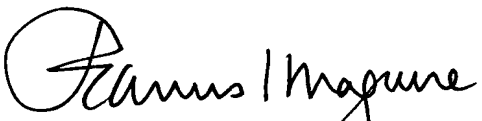
Withdrawal of the obviousness rejection of claims 1-2, 4-12, 15, 17-19, 21, 23-25 and 27-29 is requested.

Regarding the obviousness rejection of claims 1, 3, 10, 13-14, 20, 22 and 24-25 based on *Silver* (US 7,162,237) in view of *Moon*, the same line of argumentation applies here as well since *Silver* is showing basically the same thing as *Denisson* at least with respect to keeping the location dependent routing information in the network and not in the terminal at all.

Regarding Item 4 of the Office Action, the Examiner has objected that there is not sufficient support in the originally filed specification for a computer readable medium as claimed in current claim 23. A skilled person would understand that the claimed method steps may be performed by a computer program and thus in accordance with an embodiment of the present invention a computer readable medium would be provided having a program stored thereon for performing the claimed method. Applicant is willing to amend the specification at an appropriate place in order to provide specific support for a computer readable medium. However, it is believed to be equally acceptable to use the language already appearing at page 5, lines 19-20 in connection with the description of Fig. 3.

The objections and rejections of the Office Action of June 12, 2008, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of amended claims 1-25 and 27-31 to issue is earnestly solicited.

Respectfully submitted,



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